

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

Method of Forming ONO-Type Sidewall with Reduced Bird's Beak

which (check) ☐ is attached hereto.
☐ and is amended by the Preliminary Amendment attached hereto.
☒ was filed on April 7, 2004 as Application Serial No. 10/821,100.
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

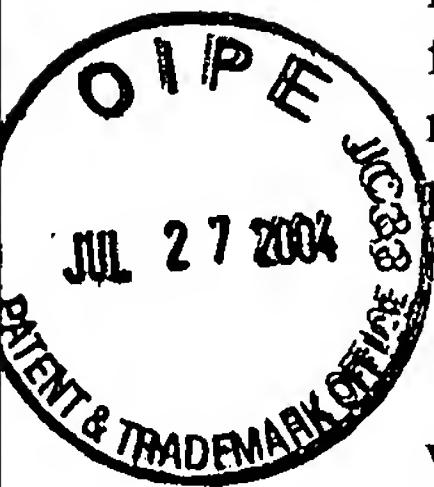
| Prior Foreign Application(s) | | | Priority Claimed | |
|------------------------------|---------|----------------------|--------------------------|--------------------------|
| Number | Country | Day/Month/Year Filed | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| Provisional Application Number | Filing Date |
|--------------------------------|-------------|
| | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status (patented, pending, abandoned) |
|------------------------|-------------|---------------------------------------|
| | | |



I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Customer No. 32605

Please address all correspondence and telephone calls to:


Gideon Gimlan
MacPHERSON KWOK CHEN & HEID LLP
 1762 Technology Drive, Suite 226
 San Jose, CA 95110
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 Facsimile: 408-392-9262

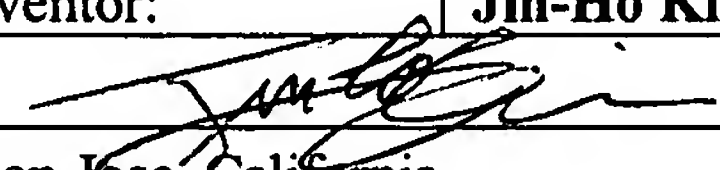
I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

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|------------------------------------|--------------------------|--------------|------------|
| Full name of first joint inventor: | Zhong Dong | | |
| Inventor's Signature: | | Date: | |
| Residence: | San Jose, California | | |
| Post Office Address: | 1501 Brookvale Drive, #2 | Citizenship: | P.R. China |
| | San Jose, CA 95129 | | |

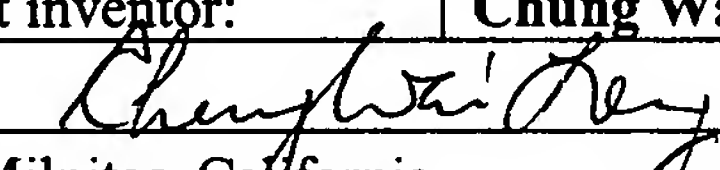
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|-------------------------------------|---------------------|--------------|--------|
| Full name of second joint inventor: | Chuck Jang | | |
| Inventor's Signature: | | Date: | |
| Residence: | Fremont, California | | |
| Post Office Address: | 623 Los Pinos Place | Citizenship: | U.S.A. |
| | Fremont, CA 94539 | | |

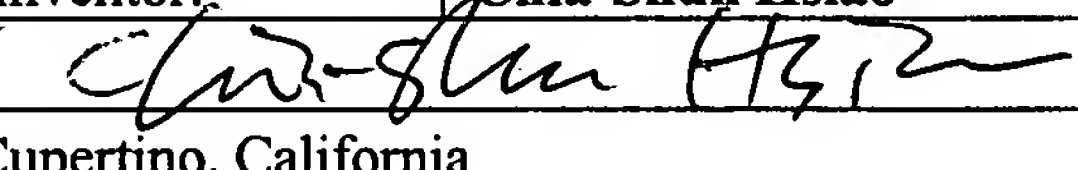
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|------------------------------------|-----------------------|--------------|--------|
| Full name of third joint inventor: | Ching-Hwa Chen | | |
| Inventor's Signature: | | Date: | |
| Residence: | Milpitas, California | | |
| Post Office Address: | 977 Westridge Drive | Citizenship: | U.S.A. |
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| Full name of fourth joint inventor: | | Chunchieh Huang | |
| Inventor's Signature: |  | Date: | 7/2/04 |
| Residence: | Fremont, California | | |
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| | Fremont, CA 94539 | | |

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| Full name of fifth joint inventor: | | Jin-Ho Kim | |
| Inventor's Signature: |  | Date: | 7/2/04 |
| Residence: | San Jose, California | | |
| Post Office Address: | 4841 Lago Vista Circle | Citizenship: | Korea |
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| Full name of sixth joint inventor: | | Vei-Han Chan | |
| Inventor's Signature: | | Date: | |
| Residence: | San Jose, California | | |
| Post Office Address: | 1078 Huntingdon Drive | Citizenship: | U.S.A. |
| | San Jose, CA 95129 | | |

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|--------------------------------------|--|------------------------|-----------|
| Full name of seventh joint inventor: | | Chung Wai Leung | |
| Inventor's Signature: |  | Date: | 6/30/2004 |
| Residence: | Milpitas, California | | |
| Post Office Address: | 1185 Eagle Ridge Way | Citizenship: | U.S.A. |
| | Milpitas, CA 95035 | | |

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|-------------------------------------|--|------------------------|-----------|
| Full name of eighth joint inventor: | | Chia-Shun Hsiao | |
| Inventor's Signature: | ✓  | Date: | ✓ 7/16/04 |
| Residence: | Cupertino, California | | |
| Post Office Address: | 10055 Carmen Road | Citizenship: | Taiwan |
| | Cupertino, CA 95014 | | |

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|------------------------------------|----------------------|----------------------|--------|
| Full name of ninth joint inventor: | | George Kovall | |
| Inventor's Signature: | | Date: | |
| Residence: | Campbell, California | | |
| Post Office Address: | 180 Warwick Drive | Citizenship: | U.S.A. |
| | Campbell, CA 95008 | | |

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|------------------------------------|----------------------|--------------|--------|
| Full name of tenth joint inventor: | | Steven Yang | |
| Inventor's Signature: | | Date: | |
| Residence: | Milpitas, California | | |
| Post Office Address: | 62 Vienna Drive | Citizenship: | Taiwan |
| | Milpitas, CA 95037 | | |

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| Full name of second joint inventor: | Chuck Jang | | |
| Inventor's Signature: | <i>Chuck Jang</i> | Date: | 07/06/2004 |
| Residence: | Fremont, California | | |
| Post Office Address: | 623 Los Pinos Place | Citizenship: | U.S.A. |
| | Fremont, CA 94539 | | |

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| Full name of third joint inventor: | Ching-Hwa Chen | | |
| Inventor's Signature: | | Date: | |
| Residence: | Milpitas, California | | |
| Post Office Address: | 977 Westridge Drive | Citizenship: | U.S.A. |
| | Milpitas, CA 95035 | | |

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| Full name of fourth joint inventor: | | Chunchieh Huang | |
| Inventor's Signature: | | Date: | |
| Residence: | Fremont, California | | |
| Post Office Address: | 40705 Laguna Place | Citizenship: | Taiwan |
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| Full name of fifth joint inventor: | | Jin-Ho Kim | |
| Inventor's Signature: | | Date: | |
| Residence: | San Jose, California | | |
| Post Office Address: | 4841 Lago Vista Circle | Citizenship: | Korea |
| | San Jose, CA 95129 | | |

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| Full name of sixth joint inventor: | | Vei-Han Chan | |
| Inventor's Signature: | | Date: | |
| Residence: | San Jose, California | | |
| Post Office Address: | 1078 Huntingdon Drive | Citizenship: | U.S.A. |
| | San Jose, CA 95129 | | |

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| Full name of seventh joint inventor: | | Chung Wai Leung | |
| Inventor's Signature: | | Date: | |
| Residence: | Milpitas, California | | |
| Post Office Address: | 1185 Eagle Ridge Way | Citizenship: | U.S.A. |
| | Milpitas, CA 95035 | | |

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| Full name of eighth joint inventor: | | Chia-Shun Hsiao | |
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| Full name of ninth joint inventor: | | George Kovall | |
| Inventor's Signature: | | Date: | |
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| Post Office Address: | 180 Warwick Drive | Citizenship: | U.S.A. |
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|------------------------------------|----------------------|--------------|--------|
| Full name of tenth joint inventor: | | Steven Yang | |
| Inventor's Signature: | | Date: | |
| Residence: | Milpitas, California | | |
| Post Office Address: | 62 Vienna Drive | Citizenship: | Taiwan |
| | Milpitas, CA 95037 | | |